

Testimony for Public Hearing  
Public Safety and Security Committee  
March 3, 2016

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Terryville, CT

**OPPOSE:** Raised H.B. No. 5408 - AN ACT CONCERNING THE PRESENTATION OF A CARRY PERMIT

Honorable Members of the Public Safety and Security Committee,

I would like to express my sincere **opposition** to HB5408.

As you are aware, Section 29-35(b), C.G.S., was amended during the 2015 legislative session. Language was added to require a permit holder to present his or her permit upon the request of a law enforcement officer who has *reasonable suspicion of a crime*. The “reasonable suspicion” portion is essential because it is wholly consistent with the Fourth and Fourteenth Amendments of the U.S. Constitution and is supported by years of U.S. Supreme Court precedent:

- *Terry v. Ohio* - held that the Fourth Amendment prohibition on unreasonable searches and seizures is not violated when a police officer stops a suspect on the street and frisks him or her without probable cause to arrest, if the police officer has a **reasonable suspicion** that the person has committed, is committing, or is about to commit a crime and has a reasonable belief that the person "may be armed and presently dangerous.”
- *Delaware v. Prouse* – held that police may not stop motorists without any **reasonable suspicion** to suspect crime or illegal activity, to check their driver license and auto registration.
- *Hiibel v. Sixth Judicial District Court of Nevada* - held that statutes requiring suspects to disclose their names during police investigations did not violate the Fourth Amendment if the statute first required **reasonable and articulable suspicion of criminal involvement**.

These cases clearly establish that a person cannot be detained and required (under threat of arrest) to produce identification unless, at a minimum, reasonable, articulable suspicion of criminal activity exists. The present law in Connecticut formally codifies these decisions for good reason and must not be further amended.

I urge members to vote AGAINST this bill.

Thank you for your time and consideration.

Respectfully,

Kurt Weisheit